

REMARKS

The application has been carefully reviewed in light of the Office Action dated July 25, 2003. Claims 1-20 are pending in this case.

Claims 1-5 and 8-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Ieda (U.S. Patent No. 5,847,371). Applicant respectfully request reconsideration.

Claim 1 recites an IC contact unit comprising *inter alia* "a movable support including an IC contact point and a pawl member"..."wherein the force of an IC card moved into contact with the pawl member moves the movable support such that the IC contact point contacts with the IC card."

Ieda discloses an IC card device that does not cause latching of an IC card, thereby allowing the IC card to be discharged even when a discharge signal cannot be supplied to an electromagnetic solenoid. A discharge-detering member (3) is linked to an electromagnetic solenoid (4) and depending upon the suction force of electromagnetic solenoid (4), the discharge-detering member engages card discharging member (2). At IC card insertion, a projecting portion 2c of the card discharging member 2 abuts the third step portion 5c of the card holding member causing the card holding member 5 to move in a clockwise direction (FIGs. 11 and 12).

Ieda fails to teach or suggest a movable support including an "IC contact point and a pawl member"..."wherein the force of an IC card moved into contact with the pawl member." To the contrary, Ieda discloses an electromagnetic solenoid (4) generating the force to move card discharging member 2. In addition, the card discharging member 2 moves a pawl member. Accordingly, the rejection of claim 1 should be withdrawn. Claims 2-11 depend from claim 1 and are allowable over Ieda at least for the reasons mentioned above with respect to claim 1.

Claims 12-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ieda in view of Yasuma et al. (U.S. Patent No. 5,847,371). Applicant respectfully request reconsideration.

Claim 12 recites an IC card reader comprising *inter alia* “a plurality of transfer rollers disposed about a card transfer line”...“a movable support including an IC contact point and a pawl member”...“wherein the force of the IC card moved by said transfer rollers causing contact with the pawl member moves the movable support such that said IC contact point contacts with the IC card.”

As mentioned above, Ieda fails to teach or suggest a force being applied to “IC card moved by said transfer rollers into contact with said pawl member moves said movable support such that said IC contact point contacts with the IC card.” In addition, the Office Action notes that Ieda fails to teach or suggest the use of transfer rollers .

Yasuma does not remedy the deficiency of Ieda with respect to the claim 12 subject matter. Yasuma discloses a connector device for connecting an IC card to a reading and/or writing apparatus. The device of Yasuma allows the leading edge of an IC card to be abutted against an abutment 32. Subsequently the IC card is transported while pushing the abutment as well as the carriage 31 toward the end of the casing 10 remote from the insertion opening 14. Yasuma fails to teach or suggest an IC card reader “wherein the force of an IC card moved by said transfer rollers into contact with the pawl member moves the movable support such that said IC contact point contacts with the IC card.”

In addition, the function of the pawl members of Ieda and Yasuma are distinctly different, and therefore teach away from the suggested combination. The pawl member of Yasuma (92) is pushed when an IC card comes in contact with an abutment (32). The pawl member of Ieda (5) is pushed by a solenoid that rotates a discharge deterring member (3) which is in contact with the card discharging member 2. Because of this difference, there is no motivation for combining the references together in any logical manner.

Accordingly, Ieda and Yasuma even when considered together fail to teach or suggest the claimed invention.

Claim 18 recites a method of reading information on an IC card comprising *inter alia* “contacting the IC card with a pawl member of a movable support” and “utilizing the force from the movement of the IC card to move the movable support.” Ieda discloses an IC card contacting a discharging member (2), and Yasuma discloses an IC card contacting an abutment 32. Thus, Ieda and Yasuma even when considered together fail to teach or suggest the limitations of claim 18.

With respect to the obviousness rejection of claims 12 and 18, the Office Action fails to establish a *prima facie* case of obviousness. Courts have generally recognized that a showing of a *prima facie* case of obviousness necessitates three requirements: (i) some suggestion or motivation, either in the references themselves or in the knowledge of a person of ordinary skill in the art, to modify the reference or combine the reference teachings; (ii) a reasonable expectation of success; and (iii) the prior art references must teach or suggest all claim limitations. See e.g., In re Dembiczak, 175 F.3d 994 (Fed. Cir. 1999); In re Rouffet, 149 F.3d 1350, 1355 (Fed. Cir. 1998); Pro-Mold & Tool Co. v. Great Lakes Plastics, Inc., 75 F.3d 1568, 1573 (Fed. Cir. 1996).

In the present case, Ieda and Yasuma, whether considered alone or in combination, fail to teach or suggest all limitations of claims 12 and 18. Given the structural and operational differences between Ieda and Yasuma, there is no motivation to combine the references, nor is there a reasonable expectation of success of such a combination. Therefore, the rejection of claims 12 and 18 should be withdrawn. Claims 13-17 depend from claim 12 and are allowable over the combination of Ieda and Yasuma at least for the reasons mentioned above with respect to claim 12. Claims 19 and 20 depend from claim 18 and are allowable over the combination of Ieda and Yasuma at least for the reasons mentioned above with respect to claim 18.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorney for Applicant